

Applicant : Toshio Sone et al.
Serial No. : 09/308,027
Filed : August 16, 1999
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Attorney's Docket No.: 06501-031001 / M1-808PCT-
US

REMARKS

Typographic errors

Applicants respectfully draw the Examiner's attention to the following typographic errors in the Office Action.

On page 3, line 2, "DRB5*0101" should be "DRB4*0101".

On page 3, lines 26 and 29, and page 4, line 2, DPA1*0102-DPB1*0501 should be DPA1*0101-DPB1*0501.

On page 4, line 6, SEQ ID NO:16 should be SEQ ID NO:22.

Support for the amendments

New claims 16 and 17 are supported throughout the specification, e.g., at pages 12-14 and 16-17. No new matter has been added by the above amendments.

The Restriction Requirement

Applicants respectfully submit that the restriction requirement is moot in light of the above amendments.

Applicants provisionally elect the claims of group I. The election is made with traverse.

Applicants submit that the restriction requirement is improper because the claims share a common special technical feature that distinguishes them over the prior art. The claims share a special technical feature in that they specify agents and methods useful in customized therapy of and prophylaxis from allergy to Japanese cedar pollen in subjects. The Rogers et al. reference cited by the Examiner discusses generally peptide-based immunotherapy for allergies but makes no mention of Cry j 1 or Cry j 2, let alone peptides derived from them. The Hori et al reference cited by the Examiner describes research on the pathogenesis and characterization of Japanese cedar pollinosis but does not disclose or suggest any compositions suitable for immunotherapy, let alone those containing the peptides specified by the instant claims. Hashiguchi et al. cited by the Examiner discloses T cell epitopes of Japanese cedar pollen but does not disclose or suggest any compositions suitable for immunotherapy, let alone those containing the peptides specified by the instant claims. Since none of the references cited by the Examiner discloses or even suggests compositions containing or methods utilizing the peptides specified by the claims, they

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cannot render the claims obvious. Therefore, as stated above, the instant claims share a special technical feature that distinguishes them over the prior art. Furthermore, Applicants submit that the claims now pending specify inventions (a method and a customized composition) that are based upon the entire set of disclosed peptides and cannot be logically prosecuted as separate claims, each limited to one peptide. In light of these considerations, Applicants respectfully request that the restriction requirement be withdrawn.

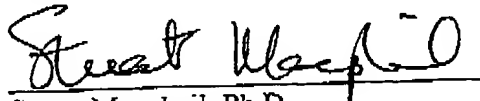
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Enclosed is a request for an automatic extension of time and a check in payment of this extension of time. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 9/13/01


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